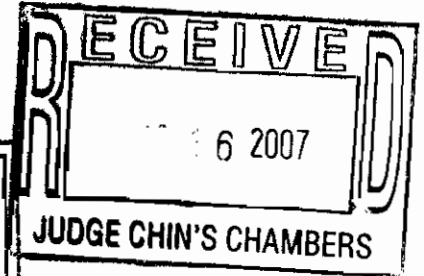
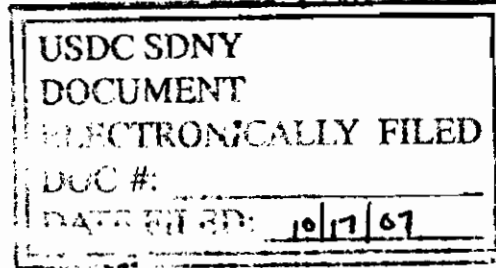


BARRY TAUB
ATTORNEY FOR
NORTH GENERAL HOSPITAL
LEGAL SERVICES DEPARTMENT
1879 MADISON AVENUE • NEW YORK, NEW YORK 10035
TELEPHONE (212) 423-2404 • FACSIMILE (212) 423-4793

October 10, 2007

Hon. Denny Chin
Daniel Patrick Moynihan
United States Courthouse
New York, New York 10007



RE: Matthew Martin v. City of New York; New York Police Dept.; Det. Jerry Breen #
01279; New York City Health & Hospital Corporation; North General Hospital
Case number 07 CIV 7384

Dear Judge Chin:

I represent North General Hospital in the above captioned matter.

On October 9, 2007, North General Hospital received, by mail, a copy of the Summons
and Complaint in the above captioned matter.

It is alleged, by pro se plaintiff, in the Complaint, that:

“ on January 16, 2007 , at 11:25 pm, between 15 and 20 police officers & FBI
agents bust down my door and through me on the floor, breaking my left
wrist and cutting me above my left eye requiring stitches.

Excessive force, assault & battery on January 16, 2007 at 11:25 pm ... “

On January 17, 2007, the police brought Pro Se plaintiff to North General Hospital,
where he received treatment in the emergency room.

Defendant, North General Hospital, pursuant to your motion practice, respectfully seeks permission to make a motion to dismiss. The basis for dismissal is that North General Hospital did not assault nor batter plaintiff.

Defendant, North General Hospital, hereby requests a pre-motion conference.

Very truly yours



Barry Taub

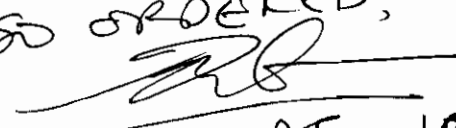
cc: Pro se Matthew Martin
349-07-01125
North Infirmary Command
15- 00 Hazen Street
East Elmhurst, New York 11370

City of New York
Municipal Building
1 Centre Street
New York, New York 10007

New York Police Dept.
Police Headquarters
1 Police Plaza
New York, New York 10007

Det. Jerry Breen
25th Precinct
119th Street, Between Park & Lexington
New York, New York 10013

Health & Hospital Corp.
125 Worth Street
New York, New York 10013

North General
Hospital may
make its motion,
without a pre-motion
conference, on or
before 11/9/07; plaintiff
shall submit his
oppositional papers by
12/10/07 (failing which the
motion will be ~~denied~~ (cc)
~~granted~~ on default
considered without the
benefit of plaintiff's
input); and reply papers
are to be filed by defendant
by 12/24/07.
SO ORDERED.

WDS 10/17/07